

**REMARKS**

This response, submitted in response to the Office Action dated November 19, 2004, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1-24 are all the claims pending in the application. As indicated by the Office Action Summary Faxed December 2, 2004, claims 1-21 have been rejected. Claims 22-24 have been objected to.

**I. Preliminary Matter**

Applicant respectfully requests that the Examiner approve the drawings filed November 10, 1999.

**II. Claim Rejections under 35 U.S.C. § 102**

Claims 1-21 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Chang et al. (U.S. Patent No. 6,263,342).

In response to Applicant's arguments that full faith and credit should be given to the search and action of a previous Examiner unless there is clear error in the previous, the Examiner asserts that "there is clear error in the action of the previous examiner with respect to the reference that has a common assignee with the applicant's application." However, the Examiner has provided no explanation regarding the "clear error" of the previous examiner.

As indicated below, Chang does not teach the claimed elements. Consequently, there was no error on the part of the previous Examiner. Therefore, Applicant respectfully requests that the Examiner give full faith and credit to the actions of the previous Examiner.

In response to Applicant's argument that Chang does not disclose "retrieving data from a search gateway data source" the Examiner asserts that the feature upon which Applicant relies is not recited in the claims. For example, lines 4-10 of claim 1 require:

from the given federated data source, *retrieving data* from a plurality of datastores, including:...data, without a schema conceptual view of the data, from one or more *search gateway data sources*.

Applicant's reference to aspects of the specification was merely for purposes of clarification and support that the Chang reference did not disclose "retrieving data from a search gateway data source." Chang's data sources are all regular terminal data repositories or federated data sources, and are *not* search gateway data sources, and cannot reasonably be interpreted as meeting the express requirement for search gateway data sources.

The Examiner asserts that the result from QBIC can be viewed as data from a search gateway data source, and without a schema conceptual view of the data, as QBIC has the capability to expand the search to DL datastore, and a different version with a federated datastore.

As discussed on page 45, 2<sup>nd</sup> and 3<sup>rd</sup> full paragraph, of the originally filed specification:

It is to be understood that the DES search gateway is only one example of a search gateway, and other search gateways may be used. . . . However, the difference between a DES datastore and a

regular datastore is that a DES datastore can expand its search to several other data repositories, such as a Lotus Notes Database, a Web Search (i.e., searching the World Wide Web), a file system, and a Relational Database (e.g., DB2, Oracle or ODBC databases). *Due to its characteristics, a DES datastore can be viewed as a search gateway, as opposed to a terminal data repository.*

This aspect of the claims is very different from the QBIC discussed in Chang where there is no search expansion, but rather merely an additional access to a related file (i.e. an index is related to the file it is indexing). A search expansion is delivering additional search results from potentially unrelated files and sources.

For at least the above reasons, claims 1, 8 and 15 and their dependent claims should be deemed patentable.

### **III. Allowable Subject Matter**

The Examiner has indicated that claims 22-24 contain allowable subject matter and would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. At the present time, Applicant has not rewritten claims 22 -24 in independent form, since applicant believes claims 22-24 will be deemed allowable, without amendment, by virtue of their dependency to claims 1, 8 and 15 for the reasons set forth above.

### **IV. Conclusion**

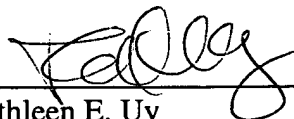
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

RESPONSE UNDER 37 C.F.R. § 1.111  
Appln. No.: 09/399,682

Attorney Docket No.: A8009

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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